

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 ( Act No.1 of 1986) – Order of detention passed by the Collector & District Magistrate, Khammam District, against Sri Banoth Dhanamurthi, S/o. Pedda Biksham, aged 22 years, R/o. Pedda Thanda (V), Khammam (R) Mandal, Khammam District– Approved and confirmed - Representation of Smt. Banoth Baddi, mother of the Detenu – Disposed of.

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GENERAL ADMINISTRATION (LAW AND ORDER.II) DEPARTMENT

**G.O.Rt.No. 1948**

**Dated: 06.05.2011**

**Read the following:-**

- 1.Order of detention in Cr.No.529/P&Ex/2010/A5, dt 28-1-2011 of the Collector & District Magistrate, Khammam District,
- 2.G.O.Rt.No.5853,G.A. (L&O-II) Department, dt.04-12-2010.
- 3.G.O.Rt.No.6153,G.A. (L&O-II) Department.,dt.22-12-2010.
- 4.Representation of Smt. Banoth Baddi, mother of the Detenu, dt, 25-01-2011.

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**ORDER:**

In the reference first read above, the Collector & District Magistrate, Khammam District has passed detention order against Sri Banoth Dhanamurthi, S/o. Pedda Biksham, aged 22 years, R/o. Pedda Thanda (V), Khammam (R) Mandal, Khammam District, under Act No.1 of 1986, as he has been repeatedly indulging in illegal storage, possession, sale and transportation of I.D. liquor in contravention of A.P. Prohibition Act, 1995, which is prejudicial to the maintenance of public health and public order. In the G.Os. second and third read above, Government have approved and confirmed the said order of detention.

2. In the ref. 4<sup>th</sup> read above, Smt. Banoth Baddi, mother of the detenu has made a representation to the Government, contending inter alia that her son (the Detenu) is not connected with the said cases mentioned in the grounds of detention, that the Excise Officials registered the said criminal cases against her son for statistical purposes, that the ID liquor was not seized from the possession of her son, that the detaining authority has not taken into consideration of the fact that after the first three incidents which are taken place a year back from the date of detention, no ID liquor was seized from the possession of her son, that the detention order was passed basing on non- existing grounds, that the cases mentioned in the detention order will not adversely affect maintenance of public order, that there is no material to state that her son sold large quantities of ID liquor or is in possession of I.D. liquor; therefore it cannot be said that the activities of the detenu are dangerous and prejudicial to maintenance of public health and public order and therefore requested to set aside the order of detention passed against the detenu.

3. The representation of the detenu has been examined, and it is observed that in the three cases of crime registered against the detenu i.e., COR No.1586/09-10, dated 29.12.2009, COR No.1887/09-10, dated 6.2.2010 and COR No.2089/09-10, dated 13.3.2010, the detenu was found transporting the I.D. Liquor on the scooters and on seeing the

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Excise officials, he left the scooters and absconded from the scene of offence and the scooters involved along with the I.D. liquor of quantities 20 lts., 15 lts., and 20 lts., respectively were seized. In the fourth case, he was caught red-handed while transporting 25 lts., of I.D. Arrack on a scooter. As such the contention of the applicant that I.D. liquor was not seized in the said cases of crime and the crimes were not connected to the detenu is not correct. Therefore, it can not be stated that the order of detention is passed on non-existing grounds and that the Excise officials registered the cases for statistical purpose. The Chemical analysis reports on the above said four cases revealed that the samples are illicitly distilled liquor, having suspended particles and sediment and it is injurious to health and unfit for potable purpose. As such the contention of the applicant that the activities of the detenu cannot be said to be dangerous or prejudicial to maintenance of public health and public order is not tenable. The detenu was involved in the four cases mentioned in the grounds of detention within a span of one year. The Collector & District Magistrate, having satisfied that the detenu is habitually committing the offences in contravention to Excise Laws, and the said activities are dangerous to public health and prejudicial to maintenance of public order, has passed the detention orders against the detenu by invoking the provisions under Act 1 of 1986, which was subsequently approved and confirmed by the Government. The case was referred to Advisory Board and taking into consideration of its opinion, it was ordered to detain him for a period of 12 months in the G.O. 3<sup>rd</sup> read above. It is therefore considered that the representation of the applicant merits no consideration and liable for rejection.

4. Accordingly, Government hereby reject the representation of Smt. Banoth Baddi, the mother of the detenu, for revocation of detention of her son.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.V. PRASAD  
CHIEF SECRETARY TO GOVERNMENT

To

Smt. Banoth Baddi, W/o. Bitcha, R/o. Pedda Thanda Village,  
Khammam ® Mandal, Khammam District.

Sri Banoth Dhanamurthi, S/o. Pedda Biksham, aged 22 years, R/o. Pedda Thanda (V), Khammam (R) Mandal, Khammam District **through** the Superintendent, Central Prison, Warangal.

**Copy to-**

The Superintendent, Central Prison, Warangal District (with instructions to serve the order on the detenu immediately under proper acknowledgement and arrange to read over and explain the contents therein to the detenu in the language known to her and report compliance to Government).

The Collector and District Magistrate, Khammam.

The Prohibition and Excise Superintendent, Khammam District.

Sf/sc

//FORWARDED:: BY ORDER//

SECTION OFFICER (SC)